

1  
2  
3  
4  
5  
6  
7  
8  
9  
10

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

13 RAFAEL REID, )  
14 Petitioner, )  
15 v. ) 3:17-cv-00532-HDM-VPC  
16 CCS BAKER, et al. ) **ORDER**  
17 Respondents. )  
18 )

19 Petitioner in this stayed habeas matter has filed a motion for  
20 leave to proceed *in forma pauperis*. (ECF No. 23). As petitioner has  
21 already been granted leave to proceed *in forma pauperis* in this  
22 action, the motion (ECF No. 23) is **DENIED AS MOOT**.

23 From the envelopes attached to the motion, it appears that  
24 petitioner first attempted to file his motion in Eighth Judicial  
25 District Court. However, the Eighth Judicial District Court Clerk  
26 forwarded the motion to this court, presumably because it contained  
27 this case number in the caption. It is unclear whether the motion was  
28 docketed in the Eighth Judicial District Court or was simply forwarded  
to this court. Petitioner is advised that he may need to re-file the

1 motion in state court and that he should avoid listing this federal  
2 case number, in the caption at least, in any motion filed in state  
3 court.

4 IT IS SO ORDERED.

5 DATED: This 20<sup>th</sup> day of August, 2018.

6   
7

---

8 HOWARD D. MCKIBBEN  
9 UNITED STATES DISTRICT JUDGE

10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28